

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2014-153439-001 SE

07/01/2015

JUDGE PRO TEM JERRY G. LANDAU
FOR COMMISSIONER JUSTIN BERESKY

CLERK OF THE COURT
L. Ceja
Deputy

STATE OF ARIZONA

FRANKIE JONES

v.

JEROME EDWARD GILBERTSON (001)
DOB: 03/07/1974

THOMAS K BAIRD

APO-SENTENCINGS-SE
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR

DISPOSITION HEARING - PROBATION REINSTATED WITH REVOCATION
ARRAIGNMENT/VIOLATION HEARING

10:16 a.m.

Courtroom 4 CCB LL

State's Attorney:	Bruce Garry
Defendant's Attorney:	Kim Salter
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Defendant was present for the group advisement given on the record at 8:33 a.m. this date in CCB LL Courtroom 4.

The Defendant has previously entered a denial to the alleged violation of probation and now advises the Court that he/she wishes to enter an admission.

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The Defendant admits violation of probation for condition 18.

The admission is accepted and entered of record.

The Defendant is advised of the right to disposition hearing within the statutory time limits and the right to a written probation violation report.

Disposition proceeds at this time.

The Court finds Defendant has violated the conditions of probation previously imposed.

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), continuing the defendant on probation beginning 04/13/2015:

Count 1: With a revised expiration date of 06/08/2019.

Length of Probation: 4 years

Conditions of probation include the following:

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month.

FINE: Count 1 - Total amount of \$3,660.0, which includes surcharges of 83%, payable \$100.00 per month.

PROBATION ASSESSMENT: Count 1 - \$20.00.

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Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

WARRANT CHARGE: Count 1 - \$90.00.

PENALTY ASSESSMENT - A.R.S. § 12-116.04: Count 1 - \$13.00.

Investigative Agency:

Mesa Police Department

Count 1: Technical Registration Fund in the amount of \$15.00.

Payment to commence on 11/01/2015 and is due on the same day of each month thereafter until paid in full.

All amounts payable through the Clerk of the Superior Court.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 17: Count 1: Complete a total of 360 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

Condition 18: Count 1: Be incarcerated in the county jail for 4 month(s), beginning 07/01/2015 with credit for 0 day(s) served.

Not to be released until 10/31/2015.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

Condition 21: Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Drug Court

IT IS FURTHER ORDERED Defendant be given credit for any monies paid to date.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation

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who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is reminded that failure to maintain contact with the Probation Department as required by your Probation Officer may result in the following orders being issued against you:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion To Dismiss the allegations of violation of the remaining term(s) as set forth in the Petition To Revoke.

Count(s) 1: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff.

The written terms and conditions of probation are handed to the Defendant for explanation and signature. The Defendant is advised of the consequences of failure to abide the terms of probation.

10:18 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM JERRY G. LANDAU
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)